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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**BRIAN COLELLA, KENNETH DOWLING
JOSEPH BERARDI, ALBERT P. SOMMA JR.
ANTHONY GIORDANO, PATRICK BRAZILL,
MICHAEL KAZMIERZAK DOMINICK BUETI,
WILLIAM K. FLYNN, DOUGLAS SANTOS,
NICK DEMONTE, JOHN FABBRICANTE,
PATRICK J. BRADY, JOHN SCUPELLITI,
JERRY PARISI, GERARD GEISLER,
and ROBERT RYAN,**

07 Civ.-6312(LAP)(JCF)

Plaintiffs,

**JOINT PROPOSED
DISCOVERY PLAN
Index No.: CV06-3393**

- against -

**THE CITY OF NEW YORK, and NEW YORK CITY
FIRE DEPARTMENT,**

Defendants.

X

Pursuant to Federal Rule of Civil Procedure 26(f), the parties agree to the following joint proposed pretrial schedule.

1. Discovery shall be conducted as follows:

a. Initial disclosures under FRCP 26(a)(1) shall be completed by November 20, 2007.

a. All discovery of factual matters to be completed by June 1, 2008.

b. A maximum of 25 interrogatories, including subparts, may be served in accordance with FRCP 33.

c. Oral depositions to be conducted in accordance with FRCP 30.

d. Physical examinations NA.

e. Case-in-chief experts shall be identified by June 30, 2008 and Rule 26 disclosures regarding experts are to be served by July 30, 2008.

f. Rebuttal experts must be identified by August 30, 2008 and Rule 26 disclosures regarding rebuttal experts are to be served by September 30, 2008.

g. Depositions of experts may be taken at any time prior to trial.

h. Plaintiff may amend the pleadings or add new parties by January 30, 2008.

2. Other Items.

a. The parties request a pretrial conference following completion of discovery.

b. Pre-motion letter applications for all potentially dispositive motions shall be filed by June 30, 2008.

c. The case should be ready for trial by October 30, 2008 and is expected at this time to take approximately two (2) weeks to try.

3. *The next pretrial conference shall be on*
Dated: Great Neck, New York *February 26, 2008 at 9:30am.*
November 7, 2007

Yours, etc.

SOLOTOFF & SOLOTOFF, ESQ

By: _____
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TO:

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November 8, 2007

So ordered
Louetta A. Prendergast
USDJ